

★ MAY 04 2018 ★

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

JOSE LEONARDO PEREZ d/b/a MY
NEIGHBORHOOD GROCERY,

Plaintiff(s),
-against-

UNITED STATES OF AMERICA and UNITED
STATES DEPARTMENT OF AGRICULTURE,
Defendant(s)

CV 18-2651
DOCKET NO. 2018 CV

ORDER TO SHOW CAUSE FOR
PRELIMINARY INJUNCTION
AND TEMPORARY
RESTRAINING ORDER

KUNTZ, J.

SCANLON, M.J.

Upon the affirmation of BENJAMIN SHARAV, Law Office of VICTOR J. MOLINA, attorney for plaintiff, affidavit of JOSE LEONARDO PEREZ, plaintiff, sworn to on April 28, 2018, attached exhibits, including Final Agency Decision delivered on April 14, 2018, initial charges dated August 8, 2017 and denial letter from plaintiff dated August 19, 2017, and upon the copy of the complaint hereto annexed, it is

ORDERED, that the above named defendant show cause before a motion term of this Court, at Room _____, United States Courthouse, 225 Cadman Plaza East, in the borough of Brooklyn, county of Kings, City, and State of New York, on

_____, 2018, at _____ o'clock in the _____ noon thereof, or as soon thereafter as counsel may be heard, why an order should not be issued pursuant to Rule 65 of the Federal Rules of Civil Procedure enjoining the defendant during the pendency of this action from disqualifying or suspending the plaintiffs from participating in the Supplemental Nutritional Assistance Program (SNAP) and receiving payments from the U.S. Department of Agriculture for supplying food products to recipients enrolled in the program;

and it is further

ORDERED that, sufficient reason having been shown therefor, pending the hearing of plaintiffs application for a preliminary injunction, pursuant to Rule 65, Fed. R. Civ. P. the

defendant is temporarily restrained and enjoined from invoking and enforcing its scheduled disqualification of plaintiffs from the SNAP program;

and it is further

ORDERED that security in the amount of \$0.00 will be posted by plaintiffs;

and it is further

ORDERED that personal service of a copy of this order and annexed affidavit upon the defendant or its counsel at United States Attorney's Office, Eastern District of New York, 271 Cadman Plaza East, New York, NY 10007 on or before _____, 2018, shall be deemed good and sufficient service thereof.

DATED: Brooklyn, N.Y

ISSUED: _____

U.S. D.J.